

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2838 of 2018

- Manonit Sona S/o Late Russail Sona, Aged About 34 Years, R/o Tower Para, Ward No.8, Saraipali, Police Station Saraipali, District Mahasamund Chhattisgarh, District : Mahasamund, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Saraipali, District Mahasamund Chhattisgarh, District : Mahasamund, Chhattisgarh

---- Non-applicant

For Applicant – Shri Nasimuddin Ansari, Advocate.

For Non-applicant/State – Shri Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

26-06-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 08-02-2018 in connection with Crime No.57/2018 registered at P.S. Saraipali, District Mahasamund, Chhattisgarh for the offence under Section 354A and 456 of the IPC and Section 8 of Protection of Children from Sexual Offences Act, 2012.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. The applicant is in jail since 08-02-2018. No case is made out against him. This applicant, in fact, was servant of the parents of the victim, it was the reason why he was present inside the house of the complainant, rest of the allegations have been falsely made. Charge sheet has been produced before the trial Court. Hence, it is prayed that the applicant may be granted regular bail.

3. Learned counsel for the State/non-applicant opposes the application submitting that the age of the prosecutrix was merely 14 years on the date of incident, hence, this applicant is not entitled for grant of bail.

4. Heard learned counsel for the parties and perused the case diary.

5. According to the prosecution case, on the date of incident the complainant Balwant Kaur heard cry from the room of her daughter. On going there, she found that this applicant was running, who was caught. The victim has made allegation that this applicant after entering into her room had outraged her modesty by touching her body with his hands.

6. After considering on the entire material present in the case diary, I feel inclined to grant bail to this applicant.

7. Consequently, this application filed under Section 439 of the Cr.P.C. by the applicant is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge